

Mr. President, I yield the floor.

#### NOMINATION OF MICHAEL BAROODY

Mr. NELSON of Florida. Mr. President, the White House has just announced the President has withdrawn the nomination of Michael Baroody to be the Chairman of the Consumer Product Safety Commission. I think this is a wise move on the part of the White House because of the perceived conflict of interest of Mr. Baroody—an employee of the National Association of Manufacturers being nominated to be the Chairman of the very regulatory agency that governs the regulation and the safety of the very products of the industry from which he comes.

It would be like, in my former life as the elected insurance commissioner, if in a State where the Governor appointed the insurance commissioner, a regulator, the Governor would pick an executive of an insurance company to regulate the very industry he came from as the insurance commissioner.

By the way, that happens with tremendous frequency in the 50 States, that they appoint the insurance commissioner, and they are usually there for less than a year. Then the revolving door turns again, and they go right back into the very industry from which they came and of which they had just been the regulator.

Putting someone from the National Association of Manufacturers at the head of the Consumer Product Safety Commission is a similar kind of potential conflict of interest.

I will give you another example. My former colleague and friend in the House, Billy Tauzin—a distinguished public servant, Congressman formerly from Louisiana—now is the head of Pharmaceutical Research and Manufacturers of America. This would be like the White House appointing Billy Tauzin—the very head of an association in the industry—to regulate that industry by making him head of the Food and Drug Administration, the regulatory body that would regulate the pharmaceutical industry.

Of course, I do not think the White House would even think of doing such a thing.

Well, a similar kind of conflict of interest arose. But a more serious note even arose than the potential conflict when it became apparent there was a severance package that had been created for Mr. Baroody while he was still in the employ of the National Association of Manufacturers that was for \$150,000; and subsequently we learned of an additional amendment to that severance package, after it was announced he was nominated to be Chairman of the Consumer Product Safety Commission.

Mr. Baroody came in and we had a discussion about this issue. He had his own explanation. I do not take anything from that explanation. So, naturally, the next request that I made was

that I think the Commerce Committee ought to see the documents of the \$150,000 severance package and its amendments, its subsequent modification.

Mr. Baroody said he would consider that request. Of course, the clock was ticking because there was going to be a hearing in front of the Commerce Committee tomorrow on his nomination. But, in the meantime, the White House has just announced it is having the President withdraw the nomination.

I will conclude by saying we have a saying down in the South in regard to avoiding a conflict of interest. It is like putting a fox in charge of the hen house, the very hen house with the hens you want to protect. It is an apparent conflict of interest. I think the White House was well served to withdraw the nomination.

#### TRIBUTE TO SENATOR TED STEVENS

Mr. SPECTER. Mr. President, I seek recognition to congratulate my friend Senator TED STEVENS on becoming the longest serving United States Republican Senator in the history of the Senate. He has had a long and distinguished career in public service representing the State of Alaska in the Senate for over 39 years, casting over 14,000 votes, and never receiving less than 67 percent of the vote in any election.

My recollections of TED STEVENS, during the 27 years we have served together in the Senate, focus on his chairmanship of the Defense Appropriations Subcommittee, where he has done so much to promote our national security. For example, his management of the \$87 billion supplemental appropriations bill for fiscal year 2003 earned him high praise by President Bush during the signing ceremony.

TED's temper is generally misunderstood except by those who know him well. He doesn't lose it, but he does use it—and very effectively. However, it is true that on occasion he makes Vesuvius look mild. I recollect one all-night session during Senator Howard Baker's tenure as majority leader when TED expressed himself in an unusually emphatic way. As I recall it, the debate arose over Senator Proxmire's comments about submitting vouchers for travel expense in Wisconsin on his contention that Washington, DC, was his home base. That prompted a reaction from TED, who was aghast at the thought of Washington, DC, being any Senator's home when he had the majestic Alaska to claim as his home.

Some thought that the middle-of-the-night incident might have cost him a couple votes, which could have been decisive, on his election for majority leader in November of 1984, when the count was 28 to 25 in favor of Senator Dole, but it was reliably reported that his loss occurred because of the significant slippage in votes caused by the tobacco interests.

In any event, Senator STEVENS has had a profound effect on the Senate and the Nation in his roles as chairman of the Defense Appropriations Subcommittee, chairman of the full Appropriations Committee, and as President pro tempore.

It is also important to note that Senator STEVENS' career in public service began even before he arrived in the U.S. Senate. He is a distinguished veteran of the U.S. Army Air Corps, having flown support missions for the Flying Tigers of the 14th Air Force during World War II, for which he was awarded numerous medals, including the Distinguished Flying Cross. He had a strong academic career, graduating from UCLA and Harvard Law School. In the 1950s, he practiced law in Alaska before moving to Washington, DC, to work in President Eisenhower's administration. He subsequently returned to Alaska and was elected to the Alaska House of Representatives in 1964 and soon became majority leader. Finally, in 1968, he was appointed U.S. Senator from Alaska and has represented his State ever since with pride and devotion.

His recognition as "Alaskan of the Century" is a real tribute, and I have no doubt that when the passage of time calls for the designation of "Alaskan of the Millennium," it will be Senator TED STEVENS.

#### HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JEFFREY AVERY

Mr. SALAZAR. Mr. President, I rise to remember a Coloradan lost to us in Iraq.

Army PFC Jeffrey A. Avery was just 19 years old when he was lost to this life late last month in Muqudadiyah, Iraq.

Jeffrey attended Coronado High School in 2005 and went on to attend Pikes Peak Community College, where he was studying criminal justice with the hopes of becoming a police officer. He enjoyed the outdoors and would spend his summers in California with his grandparents.

But instead of these pursuits, Jeffrey decided to answer his Nation's call.

In Iraq, Specialist Avery served as a military police officer, training for his future. At the time he was killed, he was manning a checkpoint, helping to keep others safe from harm.

President John F. Kennedy once said, "Every area of trouble gives out a ray of hope, and the one unchangeable certainty is that nothing is certain or unchangeable."

Private First Class Avery embodied this hope with his service to our Nation. He chose to put himself into the area of trouble and to assume the responsibility of hope for millions of Iraqis and Americans.

He will be missed by all those around him, and he and his family will remain in our prayers.

CORPORAL CHRISTOPHER DEGIOVINE

Mr. President, I wish to take a moment to remember a fallen Marine Cpl

Christopher Degiovine of Lone Tree, CO. Corporal Degiovine lost his life late last month in Fallujah, Iraq. He was just 25 years old.

Christopher Degiovine was a native of Essex Junction, VT, and had made Colorado his home for only a few months. He majored in criminal justice at Champlain College, where he graduated in 2005, and was looking to pursue a career in law enforcement.

After moving to Colorado, Christopher Degiovine answered his Nation's call and joined the Marine Corps in December 2005. He was excited about the opportunity, and proud to be serving his Nation. He was promoted to corporal a year later, and had only just been sent to Iraq when he was killed.

Christopher Degiovine's life was one of extraordinary promise cut far too short. His patriotism compelled him to a higher calling, and for that every American is humbled and grateful. His service to each of us and his sacrifice on behalf of all us is a debt we can never repay.

Matthew 5:9 reminds us: "Blessed are the peacemakers: for they shall be called the children of God." Corporal Degiovine was one of these very peacemakers, and his place will always be reserved in our hearts. He and his family will remain in my prayers, and those of the Nation, tonight and always.

#### CORPORAL WADE OGLESBY

Mr. President, I rise to reflect on the memory of Army Cpl Wade Oglesby, of Grand Junction, CO. Corporal Oglesby was killed late last month in Taji, Iraq. He was only 28 years old and was looking forward to returning home and joining the Mesa County Sheriff's Office.

Wade Oglesby's life was not an easy one. He was a young man who had to grow up far too soon. His father left his family when Wade was just 5, and his mother relocated the family from Denver to the city Grand Junction, on the other side of the Great Divide.

As a sophomore in high school, Wade Oglesby's mother Linda fell terribly ill, and Wade left high school to care for his dying mother. After she passed on, Wade stayed with his younger sister Samantha until she became an adult.

August 2004 was a turning point for Corporal Oglesby he found his "true calling in life," as his family said. He joined the Army and found a place that he belonged. Wade's brother Richard observed that Wade "was a soldier long before joining the Army."

In the Army, Corporal Oglesby found his mission. He was proud of his service to his Nation. It makes perfect sense that serving his country fit so naturally to Corporal Oglesby's character: he had spent his whole life in selfless service to those around him whom he loved. Helping and protecting others came naturally to him, and the Army carried him on his way.

One newspaper in my home State reported that Wade Oglesby's motto in life was "float on." Even as his life be-

came heavy as a young man, Corporal Oglesby found a way to "float on" and to continue moving forward.

To his sister Samantha and brother Richard: As you mourn the loss of your brother, know that our Nation mourns with you the loss of another exemplary soldier and American. He will live on our memories for his courage, service, and sacrifice.

#### SPECIALIST DAVID W. BEHRLE

Mr. GRASSLEY. Mr. President, it is with great sadness that I announce to the Senate today that SPC David W. Behrle has lost his life in Iraq. David Behrle died in the service of his country, and it is absolutely appropriate that we take this opportunity to salute his patriotism and his sacrifice.

Specialist Behrle died Saturday night, May 19, 2007, after his patrol vehicle was hit by a roadside bomb south of Baghdad. My thoughts, prayers, and sincere condolences go out to his mother, Dixie Pelzer of Tipton, IA, and his father, John Behrle of Columbus, NE, as well as the Tipton community that is now dealing with the loss of their second native son in Iraq. While we try to prepare ourselves for the loss of life that comes with war, it is impossible to prepare for the very personal experience of losing a young life so close to home. David is best described by a former classmate as "not only our class president, he's now our class hero." He served his country with vigor and enthusiasm, and his presence will be missed in both Tipton and our Armed Forces.

#### TRIBUTE TO VERMONT FALLEN

Mr. LEAHY. Mr. President, words and numbers are often used on this floor to describe the ongoing war in Iraq. In recent weeks, we have found ourselves debating the policy decisions that created the current climate in Iraq, the current strategy in Baghdad, and the policy shifts that need to occur to bring our men and women home. We frequently cite the fast-rising numbers of military fatalities and injuries and the growing number of innocent civilian deaths.

A central element of this picture and of this discussion should always be the sacrifices and the suffering of the families at home. Vermont, small State that we are, bears the burden of the highest fatality rate in the country, with more deaths per capita in Iraq than any other State. These losses have left dozens of families searching for comfort as they mourn their loved ones.

But in the darkest and saddest of times, a new Vermont family has emerged, brought together by the efforts of students at Norwich University, the Nation's oldest military college, which calls Northfield, VT, its home. "Vermont Fallen," developed and produced by students at Norwich for a media course, profiles the jour-

neys of families from across our State as they grieve the loss of their sons, fathers, husbands, and friends. Many of these families, brought together by community screenings of the documentary, now are able to turn to each other for comfort.

With this remarkable project, these students from Norwich University—many of whom have friends, family, and colleagues serving on the front lines of the wars in Iraq and Afghanistan—have given a great gift to these families and to us all. They have honored in this special way those from Vermont who have fallen and they have offered a glimpse into the searing and highly personal grief and mourning that have touched thousands of American families and scores of American communities, across Vermont and across the country. They have produced a tribute that speaks directly to each human heart.

NBC's "Today" recently aired a segment about "Vermont Fallen." I ask unanimous consent that the transcript be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

NBC'S TODAY—MAY 9, 2007

Class project by students at Norwich University pays tribute to Vermont soldiers lost in Iraq and Afghanistan

ANCHORS: DAVID GREGORY

REPORTERS: DAWN FRATANGELO

DAVID GREGORY, co-host:

Vermont has lost more soldiers per capita in Iraq than any other state. Now students at Vermont's Norwich University, the nation's oldest military academy, are paying tribute in a unique way. Here's NBC's Dawn Fratangelo.

(Beginning of clip of "Vermont Fallen")

Unidentified Woman #1: I screamed and said, 'No, not Eric. My only boy.'

Unidentified Woman #2: Colonel Williams told me immediately that Mark didn't make it.

(End of clip)

DAWN FRATANGELO reporting:

Three of them were named Mark. There were also three Chrises. Half of them were under the age of 24. They are the Vermont fallen, 25 men from this small state killed in Iraq and Afghanistan. Now, subjects of a powerful documentary told through the shattered families left behind.

Unidentified Man: (From "Vermont Fallen") You're upset with everybody when your son dies, and you don't think rationally. I don't know if I'll ever think rationally again.

FRATANGELO: There was something more here than just the raw pain and tears you see on screen. It's about those behind the camera, and the incredible bond that it formed.

So as young filmmakers, were you intimidated at all about approaching these families?

Ms. AMANDA BENSON: Yes. Absolutely.

FRATANGELO: Amanda Benson and Steve Robitaille, along with Craig McGrath, are the senior producers of the film. They're students—college students at Norwich University in Northfield, Vermont, the nation's oldest military school. The film was their media project. But Amanda knew from that first interview, this was more than just school work.

Ms. BENSON: So walking into it, I really didn't think too much of it. But after about